

Security Information

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MEMORANDUM FOR: Executive Officer, DD/A

SUBJECT : Continuous Service Abroad

REFERENCE : Your memorandum to Acting Comptroller dated
19 November 1953, same subject. (ER 4-8668)

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1. Current CIA policy as relates to the effect of leave in the U. S. on the entitlement of travel to the U. S. at Government expense for leave after completion of two years of "continuous service abroad" is contained in paragraph 6 f (4) and CIA Regulation paragraph G (4) which is as follows:

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"(b) The following types of leave shall not constitute a break in continuous service abroad:

- (1) Annual or sick leave granted an employee while temporarily in the United States for purposes of official consultation.
- (2) A period of annual leave granted an employee to return to the United States, or its Territories and possessions, at his personal expense for the sole purpose of meeting a personal emergency.
- (3) A period of sick leave granted an employee to return to the United States, or its Territories and possessions, under proper authorization at Government expense."

2. This policy is considerably more liberal in one respect and more restrictive in another than the Foreign Service policy established by Transmittal Letter A-174 dated 9 November 1953 of the Foreign Service Manual. Our regulations contain no time limit on the leave in the U. S. which may be taken without breaking the continuous service abroad while the Foreign Service established a 30 day time limit. On the other hand the Foreign Service Manual authorizes any annual or sick leave taken in the U. S. whereas our regulations restrict the leave to three conditions which do not include all annual or sick leave which may be taken by an employee.

3. It is recommended that CIA policy be changed to provide that continuous service abroad will not be broken by any periods of annual or sick leave taken in the United States which are approved by officials authorized to approve leave. The 30 day limitation on such leave imposed by the Department of State is an administrative limitation which may or may not be appropriate for adoption by CIA. It is suggested that the Office of Personnel, in collaboration with the Office of General Counsel, the Deputy Director (Plans) and the Office of Communications,

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be directed to review field personnel problems and conditions and submit a recommended Agency policy on this subject.



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Acting Comptroller

DAS/WEB:gak (25 November 1953)

Distribution:

Orig. & 1 - Addressee

- 1 - Acting Comptroller
- 1 - Acting Personnel Director
- 1 - General Counsel
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Security Information

NOV 19 1953

MEMORANDUM FOR: Acting Comptroller

SUBJECT : Continuous Service Abroad

1. Presumably you are already aware of the attached Transmittal Letter A-174, dated 9 November 1953, of the Foreign Service Manual pertaining to the above subject. There are transmitted changes to the leave regulations which somewhat liberalize previous regulations pertaining to continuity of service abroad.

2. The Chief of Administration, DD/P, has asked if we can adjust our regulations to meet the present situation reflected in the Department of State's regulations with the view of notifying Field Stations as soon as possible. The interest of the Chief of Administration, DD/P in this subject stems in part from recent queries from the Field on this specific subject. For example, the cable of 16 November to [] (OUT 51425) gives one interpretation relating to this subject.

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25X1 3. Presumably the changes in regulations could occur in the [] first in order to save some time on this matter. It is requested that you give this matter your consideration and indicate to this Office prior to 27 November 1953 the action to be taken.

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1 Attachment

[]
Executive Officer, DD/A

cc: Acting Personnel Director
General Counsel
Chief, Regulations Control Staff

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Department of State
Washington, D.C.

Foreign Service Manual

Transmittal Letter: A-174

Date: November 9, 1953

VOL. 1-ADMINISTRATION

1. MATERIAL TRANSMITTED:

Part IV, Personnel

Portions of Subchapter 420, LEAVE (GENERAL), pages 420 and 423.

2. EXPLANATION:

- a. Continuous service abroad, as defined in section 422i, is redefined to permit personnel on assignment outside the continental limits of the United States to take as much as 30 days' annual leave in the United States without breaking the period of continuous service abroad which is the basis for the granting of home leave at government expense. This is a liberalization of the previous regulation, which provided that annual leave in excess of 5 days, taken in the United States, broke the continuity of service abroad. It is hoped that the new policy will encourage persons able to come to the United States to use some or all of their annual leave in this way, thus furthering the process of re-Americanization, and providing, at the same time, an additional avenue for the reduction, through utilization, of accumulated leave balances.
- b. Revised section 422i further provides that up to 30 days' sick leave may be taken in the United States without breaking continuity of service abroad. The previous policy, which was not stated in the Manual, was that 30 calendar days of sick leave could be taken without breaking service abroad.
- c. It is also provided in section 422i that, in cases of emergency, exceptions to the 30 day limitation may be approved in writing by the Department.
- d. The provisions of revised section 422i are not retroactive.
- e. Sections 423.8 and 451.1 are amended by pen and ink to reflect actual practice, which is that time spent in the United States on leave does not count as service abroad for accrual of home leave.
- f. Section 461.2 is amended by pen and ink to eliminate the provision that the granting of transit time in connection with the taking of leave at personal expense breaks the continuity of service abroad.

State--PB, Wash., D.C.

FILE THIS TRANSMITTAL LETTER IN THE MANUAL

3. FILING INSTRUCTIONS:

- a. Remove pages 420 and 423 issued under TL:A-77. Insert attached pages 420 and 423 immediately following page 413.
- b. Make the following changes by pen and ink:

Section 423.8 - First line, delete words "leave or". Add the following sentence at end of section: "Home leave does not accrue during periods of time spent in the United States on annual, sick, or home leave."

Section 451.1 - Add at end of section: "Home leave does not accrue during periods of time spent in the United States on annual, sick, or home leave."

Section 461.2 - Last sentence, delete "but the granting of transit time for this purpose will break continuity of service abroad"; place a period after the word "expense".

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420 LEAVE (GENERAL)421 Authority

The following regulations, effective January 6, 1952, are prescribed under authority of sections 302, 933, 934, and 935 of the Foreign Service Act of 1946, the Act of December 21, 1944 respecting lump-sum payments, and the regulations issued by the Chairman of the Civil Service Commission under authority of section 206 of the Annual and Sick Leave Act of 1951 (PL-233 82nd Congress) which prescribes a graduated leave system based on total Federal service and changes Foreign Service leave accrual from a calendar day to a workday basis.

422 Definitions

- a. Pay period means full biweekly pay period.
- b. Leave year means the period covered by twenty-six complete pay periods ending with the last complete pay period in the calendar year.
- c. Accumulated leave means the unused annual leave remaining to the employees credit at the end of the leave year.
- d. Break in service means one or more work days on which the employee is off the rolls of a U. S. Government Agency.
- e. Medical certificate means a written statement signed by a physician, certifying to the period of disability of the patient while he was undergoing professional treatment.
- f. Contagious disease means a disease ruled as subject to quarantine or requiring isolation of the patient by the health authorities having jurisdiction.
- g. Allowable transit time means time spent in travel or in awaiting transportation which is not chargeable to leave and during which basic compensation is payable. Travel under orders automatically includes transit time.
- h. Excess transit time means time used in travel which is in excess of allowable transit time and which is chargeable to annual leave with pay if available, or other wise leave without pay.
- i. Continuous service abroad means service outside of the continental limits of the United States as a Federal civilian employee with any agency of the Federal Government or service in the Armed Forces of the United States uninterrupted by a break in service. Continuous service abroad is broken by an assignment in the United States or by home leave authorized in connection with travel at Government expense. Continuous service abroad is not broken by periods of annual or sick leave taken in the United States which are not in excess of thirty days, exclusive of leave used during travel to and from the United States in connection with such leave. In cases of emergency, exceptions to this thirty-day limitation may be approved in writing by the Department. Any leave taken within the continental limits of the United States shall not be included in the computation of the total period of continuous service abroad.

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Part IV - PERSONNEL

ADMINISTRATION

- j. Creditable service for purposes of accruing home leave shall include the period between the date of the employee's arrival at a post of duty outside the continental United States to which he is transferred or assigned and the date of his departure from any such post to return by transfer or assignment to a post of duty within the continental United States.

423 General Provisions

423.1 Leave Accounts

Effective January 6, 1952, leave in the Foreign Service will be on a work-day basis.

423.2 Minimum Charge

Annual and sick leave is charged in multiples of one hour, and home leave in multiples of one day. Unavoidable and necessary absences from duty of less than one hour and tardiness for adequate reasons may be excused without charge to leave.

423.3 Ninety-Day Service Requirement

New employees or persons re-employed after a break in service receive credit for annual leave only after 90 days of continuous employment under one or more appointments without break in service, and leave earned is credited retroactively. Leave without pay does not constitute a "break in service". The limitation does not apply to sick leave.

423.4 Holidays and Non-Workdays

Holidays and non-workdays established by Federal Statute or by Executive Order or Administrative Order which fall within the employee's basic workweek are not charged as annual, sick or home leave. Legal holidays established by various statutes are: January 1, February 22, May 30, July 4, first Monday in September, November 11, fourth Thursday of November and December 25. Whenever a legal holiday falls on Sunday, the following day shall be considered a holiday, except for employees whose regularly scheduled workweek includes the Sunday. For such employees, Sunday is considered their holiday if their regularly scheduled workweek does not include Monday; if it does, the principal officer decides which shall be treated as a holiday.

423.5 Annual Leave in Lieu of Sick Leave

At the employee's request, absence because of illness may be charged against annual leave rather than sick leave.

423.6 Sickness during Annual Leave

When illness of 3 days or more occurs during a period of annual leave, the illness may be charged to sick leave, subject to submission of a medical certificate or other administrative acceptable evidence.

CS. 11-16-71 02 NON

COMPTROLLER

DATE:

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25 November 1953

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TO: Executive Officer, DD/A

FROM: Acting Comptroller

SUUMMARY: Continuous Service Abroad

FILED: PROCEDURE - Leave

25X1 INDEXER:

REMARKS:

Ref: Your Memorandum to Acting Comptroller, dated
19 November 1953, Same Subject (ER 4-8668)

Attached: Memo for Acting Comptroller, dated 19 November 1953,
Same Subject; from Executive Officer, DD/A,

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